

**REMARKS/ARGUMENTS**

Claims 1-8, 11 and 13-15 are pending in the application.  
Claims 1, 13 and 14 are currently amended.  
Claims 5 and 12 are cancelled.

**Rejection under 35 U.S.C. § 103(a)**

Claims 1-4, 6-8, 11, and 13-15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hopkinson et al (US 2003/0050194) ("Hopkinson") and Schlatter et al (US 2005/0215432).

Applicants respectfully traverse.

Applicants submit the teachings of Hopkinson relate to chemically and physically stable compositions which are compatible with other compositions for use in a tank mixing. It discloses an agricultural composition comprising an alkyl polyglycoside, at least one anionic surfactant selected from polyarylphenol polyalkoxyether sulphates and polyarylphenol polyalkoxyether phosphates, and at least one basic compound. Optionally a non-ionic surfactant may be included.

As presently amended, the claims relate to aqueous seed treatment suspensions comprising at least 3 wt% abamectin and at least two surface active compounds, at least one being an anionic phosphate type compound and at least one being a non-ionic alkoxylated phenol.

Applicants respectfully submit that Hopkinson fails to teach the use of an alkoxylated phenol in the composition. Applicants further submit that a person having skill in the art would not turn to Schlatter to remedy the Hopkinson deficiency because Schlatter relates to neonicotinoid insecticidal seed treatments, particularly those incorporating thiamethoxam, imidacloprid, thiacloprid, clothianidin, nitenpyram and acetamiprid (paragraphs [0035]-[0040] and Example 1). Schlatter does not teach the use of nematocidal abamectin in an agricultural composition and considering that the physical properties and mode of action of the active ingredient are key considerations when developing agricultural compositions, the person of ordinary skill in the art would not see Schlatter as a source of guidance when developing a formulation containing abamectin.

For the reasons set forth above, Applicants respectfully submit that the present response overcomes all outstanding objections and rejections. Applicants respectfully request allowance of all claims.

The Commissioner is hereby authorized to charge any additional fees under 37 CFR §1.17 which may be required, or credit any overpayment, to Account No. 50-1676 in the name of Syngenta Crop Protection, Inc.

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